

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 INRE-00 T-03 OMB-01 TRSE-00 PM-09

NSC-10 SS-14 RSC-01 CIAE-00 INR-09 NSAE-00 L-03 H-02

ACDA-19 MBFR-03 SAJ-01 GAC-01 EB-11 RSR-01 EURE-00

/114 W

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P R 201555 Z MAR 73

FM AMEMBASSY LONDON

TO SECSTATE WASHDC PRIORITY 9833

INFO DOD WASHDC PRIORITY

USCINCEUR

CINCUSAFE

CINCUSAREUR

CINCUSNAVEUR

HQ 3 AF RAF MILDENHALL

C O N F I D E N T I A L LONDON 03289

E. O. 11652: XGDS- L

TAGS: MARR UK

SUBJECT: US/ UK COST- SHARING ARRANGEMENT

REFS: (A) LONDON 3258, (B) LONDON 3259, (C) LONDON
12030

1. REFS (A) AND (B) FORWARD TEXT OF NEW UK DRAFT
DATED MARCH 16, AND TRANSMITTAL LETTER GIVING FCO' S
EXPLANATORY COMMENTS. EARLIER VERSION OF THIS DRAFT
WAS PROVIDED TO EMBASSY ON 22 FEBRUARY ON STRICT
UNDERSTANDING THAT IT WAS INTERNAL WORKING PAPER AND
SUBJECT TO FURTHER CHANGE; 22 FEBRUARY VERSION WAS
DISCUSSED WITH DOD REPS BARRINGER AND KENT DURING VISIT
HERE 23 FEBRUARY AND FCO IMMEDIATELY APPRISED OF
NUMBER OF CHANGES US DESIRED. MARCH 16 TEXT CONTAINS
SOME NEW ELEMENTS AND IS PARTIALLY RESPONSIVE TO OUR
COMMENTS ON 22 FEB DRAFT.

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2. MAIN FEATURE OF THIS REVISION AS COMPARED TO TEXTS CONTAINED IN REF (C) IS INCORPORATION OF 3 RD AF/ MOD CLAIMS GUIDELINES INTO BODY OF THE AGREEMENT IN NEW PARAGRAPHS 2(5) AND 4(3). MUCH OF OLD PARAGRAPH 2 HAS BEEN COMPLETELY REWRITTEN. CERTAIN OTHER PROVISIONS HAVE BEEN MODIFIED OR NEWLY INTRODUCED. FOLLOWING ARE EMBASSY' S COMMENTS ON SOME OF THE MORE IMPORTANT CHANGES BASED ON OUR INITIAL STUDY OF NEW DRAFT; THEY ARE NOT INTENDED AS EXHAUSTIVE ANALYSIS AND SHOULD BE READ IN CONJUNCTION WITH UK EXPLANATIONS IN REF (B).

PREAMBLE: MINOR CHANGE IN SECOND SENTENCE APPEARS ACCEPTABLE.

PARA 1: ADDS DEFINITION OF " LAND" WHICH APPEARS ACCEPTABLE AND AVOIDS REDUNDANT PHRASES ELSEWHERE.

PARA 2, SUBPARAS (1) THROUGH (8): EARLIER VERSIONS WERE COSMETICALLY SUPERIOR FROM US VIEWPOINT INASMUCH AS THEY PROVIDED THAT CERTAIN LAND " WILL BE MADE AVAIL- ABLE", ALBEIT ALWAYS SUBJECT TO MUTUAL AGREEMENT. THIS DRAFT CONTAINS NO SIMILAR DECLARATION BUT MERELY PRO- VIDES THAT WHERE HMG AGREES TO MAKE CERTAIN LAND AVAIL- ABLE, THEY WILL BEAR COSTS. PRACTICAL EFFECT OF CHANGE APPEARS NEGLIGIBLE, HOWEVER; UNDER EITHER LANGUAGE HMG HAS NO OBLIGATION TO PROVIDE LAND UNLESS IT AGREES TO DO SO. IN OTHER RESPECTS NEW LANGUAGE SEESS MORE LUCID AND BETTER ORGANIZED THAN PREVIOUS DRAFTS.

PARA 2(8): NEW PROVISION. FEB. 22 VERSION SPECIFICALLY EXCLUDED HOUSING, WELFARE, SOCIAL OR RECREATIONAL REQUIREMENTS FROM DEFINITION OF " DEFENSE PURPOSES"; PRESENT LANGUAGE IS INTENDED TO BE RESPONSIVE TO EMBASSY STRENUOUS OBJECTION. IT IS UNDOUBTEDLY RESTRICTIVE, BUT WE NOTE IT APPLIES ONLY TO LAND MADE AVAILABLE UNDER 2(1)(B) AND 2(3).

PARA 4(1): FOR THE FIRST TIME IN A WRITTEN DRAFT, UK HAS EXPLICITLY PROVIDED FOR RETROACTIVE APPLICATION OF THE 7 1/2 PER CENT DE RATE AS FROM 1 APRIL 1972.

PARA 4(4): REWRITE OF 4(D) IN EARLIER UK DRAFT (SEE REF C). WHILE DEPARTMENT' S LEGAL EXPERTS WILL NEED TO EXAMINE IT CLOSELY,

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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Disposition Authority: worrelsw
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Disposition Date: 28 MAY 2004
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Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: GS
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